

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8744 of 2021**

Mehboob Khan @ Bablu Khan s/o Asif Khan, aged about 34 years R/o Parwatinagar, Tambakhu Chal Achni, Nagpur, Police Station Achni, District Nagpur (Maharashtra).

----Applicant

Versus

State Of Chhattisgarh through Station House Officer, Police of Police Station Gurur, District Balod (C.G.).

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate
For Respondent	:	Mr. Bhupendra Banjare, Advocate

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

16/12/2021

Heard.

1. The applicant has preferred this first Bail Application under Section 439 of the Code of Criminal Procedure, 1973 in connection with Crime No. 263/2021 registered at Police Station- Gurur, District Balod (C.G.) for the offence punishable under Sections 4, 6 and 10 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam and Section 11 of Prevention of Cruelty to Animals Act.
2. Case of the prosecution that the police personnel received a secret information on 21/08/2021 that 34 animals were being transported in a truck bearing No. HR 74-A-2280 for slaughtering. The police personnel reached to the spot and seized the vehicle along with animals. The applicant was arrested on 20/10/2021.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant is in jail since 20/10/2021, offence is triable by JMFC and trial is likely to take time, therefore, he prays to release the applicant on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, particularly considering that the offence is triable by the JMFC, the applicant is in jail since 20/10/2021 and conclusion of trial is likely to take some time, without further commenting on other merit of the case, I am of the view that it is a fit case to enlarge the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs. 50,000/- with two sureties each of Rs. 25,000/- to the satisfaction of the trial Court on following conditions:-
 - a) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;
 - b) he shall not act in any manner which will be prejudicial to fair and expeditious trial;
 - c) he shall appear before the trial Court on each and every date given to him by the said Court till the disposal of the trial;
 - d) he shall not involve himself in any offence of similar nature in future;
 - e) while furnishing the bail bonds, the applicant and the person who stand surety shall submit their Aadhar Cards and full-sized colored postcard size photographs mentioning their Aadhar numbers on the same before the trial Court who shall verify the same.

Sd/-
(Deepak Kumar Tiwari)
Judge

Rahul